

State of Alabama

Department of Child Abuse and Neglect Prevention



Mandatory Reporting and Erin's Law Implementation: What School Professionals Need to Know MEGA Conference July 11, 2017



Overview

- History and Role of ADCANP/CTF
- Erin's Law background and passage in Alabama
- Governor's Task Force on Child Sexual Abuse Prevention
- Define and identify the signs of suspected child abuse
- Role of a Mandatory Reporter
- Implementation of training in schools
- Impact of Abuse
- Prevention of Abuse
- Questions



Department of Child Abuse & Neglect Prevention

- Created by Act of Legislature in 1983
- Community-Based Prevention Programs
- Public Policy Advocacy
- Public Education
- Network of Grantees
- Affiliated with National Organizations
 - National Alliance of Children's Trust & Prevention Funds
 - Prevent Child Abuse America





Erin's Law

- Erin Merryn child sexual abuse victim turned advocate to pass legislation in each state
- Alabama passed Erin's Law 2015 legislative session and signed into law by Gov.
 Bentley on June 11, 2015
- Established Governor's Task Force on Child Sexual Abuse Prevention

Update on Erin's Law



Task Force on the Prevention of Child Sexual Abuse met during 2015 and presented Gov. Bentley with recommendations in Dec. 2015

- HB238 passed and signed by Gov. Bentley in May 2016 adding amendments to Erin's Law
- All K-12 Public schools (including Pre-K) shall establish a child sexual abuse prevention program
- The content of instruction shall be at the discretion of the local board as noted in Dr. Philip Cleveland's (formerly Interim Superintendent) memo to City and County Superintendents
- Professional training component for school personnel added, requiring mandatory reporting training

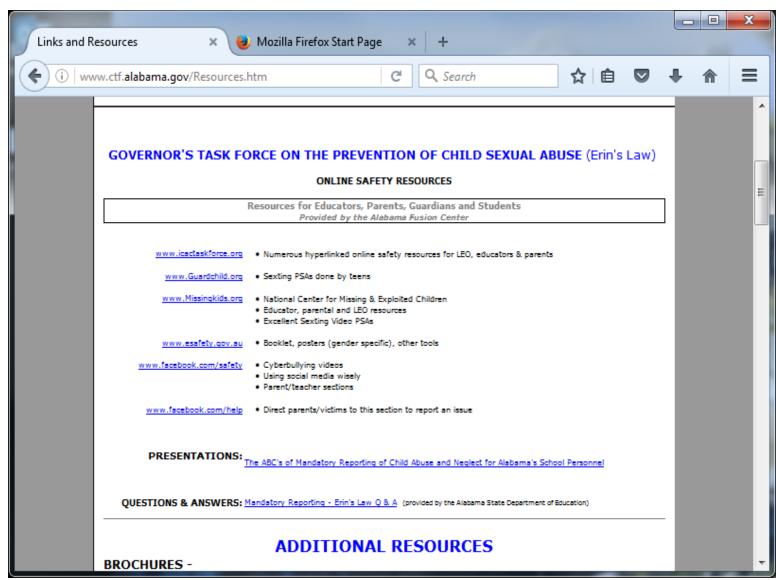


- Task Force recommends using the on-line mandatory training portal on the DHR web site
- Task Force working to adopt guidelines for a child sexual abuse prevention instructional program
- Guidelines include giving children knowledge and encouragement to speak up and tell if anyone has touched them inappropriately
- Educate children on "safe touch, unsafe touch"
- Use developmentally, age-appropriate educational curricula, activities, discussions, etc., for instructional purposes
- Curriculum resources listed on www.ctf.alabama.gov



- Primary task force recommendation continue work of task force and continue meeting
- New task force configured for 2016-2017 made up of State Agency Head appointments and legislative appointments
- Tracy Plummer, CTF Deputy Director, serves as Chair
- Trisha Melberg, attorney with the Office of Prosecution Services, serves as Vice-Chair
- Task Force meets monthly







Who is a Mandatory Reporter?

Any person whose profession brings them in contact with children on a daily basis is legally obligated to report signs of suspected child abuse or neglect.

- Employees at hospitals, clinics and sanitariums
- Social Workers
- Child Care Employees
- Clergy
- School Teachers/Officials
- Dentists
- Law Enforcement
- Peace Officers
- Mental Health Professionals
- Pharmacists

- Nurses
- Podiatrists
- Chiropractors
- Optometrists
- Osteopaths
- Coroners
- Medical Examiners
- Surgeons
- Physician
- Doctors



Added to Mandatory Reporter Law

- Physical Therapists
- Public and private K-12 Employees
- Employees of public and private institutions of postsecondary and higher education



Other Changes to Mandatory Reporter Law

- The statement "or cause reports to be made of the same" has been eliminated from the law.
- It is the responsibility of the <u>mandatory</u> <u>reporter</u> to make the report and follow up with a written report to the county DHR.



What is Child Abuse?

Harm or threatened harm to a child's health or welfare which can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, sexual exploitation or attempted sexual exploitation.



Different Types of Child Abuse

- Physical
- Sexual
- Emotional
- Neglect/ Failure to thrive





Physical Abuse

Abuse means harm or threatened harm to the health or welfare of a child through:

- Non-accidental physical injury
- Sexual abuse or attempted sexual abuse
- Sexual exploitation or attempted sexual exploitation
- Hitting
- Kicking
- Biting
- Burning
- Pushing
- Shaking
- Any other physical act that can cause injury to a child

Citation: Ala. Code § 26-14-1(1)



Signs to Look for with Physical Abuse

- Bruises
- Marks in the shape of an object
- Unexplained bruises, burns or cuts
- Fear of adults
- Destructiveness toward self or others
- Poor social skills
- Aggression
- Defiance
- Clothing that may be inappropriate



Sexual Abuse

• Sexual abuse includes:

- The employment, use, persuasion, inducement, enticement, or coercion of any child to engage in or having a child assist any other person to engage in any sexually explicit conduct
- Any simulation of the conduct for the purpose of producing any visual depiction of the conduct
- The rape, molestation, prostitution, or other form of sexual exploitation of children
- Incest with children

Citation: Ala. Code § 26-14-1(1)

• Sexual exploitation includes:

- Allowing, permitting, or encouraging a child to engage in prostitution
- Allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes

Citation: Ala. Code § 26-14-1(1)



Signs to Look for with Sexual Abuse

- Inappropriate displays of affection
- Unusual interest in or inappropriate sexual knowledge
- Over-compliance
- Pain during urination
- Difficulty walking or sitting
- Frequent vomiting
- Wetting pants



Recent Alabama Headlines pertaining to teacherstudent alleged inappropriate conduct

- Alabama teacher, coach arrested after 'touching' 5 female students
- School system facing lawsuit after teacher allegedly offers "grades for sex"
- Accused Alabama man's lawyer wants teacher-student sex law ruled unconstitutional
- Female teacher arrested after accusation of having inappropriate relationships with two of her students
- Middle school teacher fired, accused of inappropriate conduct with student
- Former High School teacher arrested for sexual contact with student
- Longtime Alabama educator arrested for sex with student, child porn possession

 Alabama had a higher rate of incidents of school employees sexually assaulting students than any other state in the nation according to a study compiled by a former U.S. department of education staffer



Emotional Abuse

- Emotional Abuse includes non-accidental mental injury.
 - Belittling
 - Terrorizing
 - Lack of nurture
 - Rejecting
 - Inconsistent parenting
 - Violent environment

Citation: Ala. Code § 26-14-1(1)



Signs to Look for with Emotional Abuse

- Depression or withdrawal
- Lack of emotion
- Lack of interest
- Speech, sleep or eating disorders
- Repetitive actions, such as rocking, sucking or biting
- Increased emotional needs



Neglect

Neglect means negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

Citation: Ala. Code § 26-14-1(1)

- Physical neglect
- Educational neglect
- Emotional neglect



Signs to Look for with Neglect

- Clothing that is dirty, torn, poorly fitting or inappropriate for the weather
- Sleepiness
- Poor hygiene
- Untreated medical or dental problems
- Inappropriate responsibility for younger siblings
- Frequent tardiness or absences from school
- Apparent lack of supervision



If you suspect abuse, what should you do?

- Trust your instincts
- Take notes
- Look at the facts
- Make a report using form:

DHR-FCS-1593 available at your county DHR office or available online.

http://dhr.alabama.gov/services/Child Protective Services/Written
Report MandatoryReporters.aspx



DHR On-line Mandatory Training

- Link under Child Protective Services
 - www.dhr.alabama.gov
 - Link under CTF web site
 - Training opportunities
 - www.ctf.alabama.gov



Sometimes, you're the only protection they have.



TION

Welcome to training for mandated reporters in Alabama! Click on the "Get Started" button above to accourse enrollment page where you may select and enroll in the training that you want to complete.

Code of Alabama § 26-14-3 (1975) provides for the mandatory and permissive reporting of child abuse/negled constituted authority," primarily the Department of Human Resources (DHR) and law enforcement, when any suspects children are being abused or neglected. The **Child Abuse Mandated Reporters Training** explains:

- Why it is important to report child abuse and neglect
- Who is required to report it
- . How to recognize it
- · How and when to report it
- · What happens after a report is made

The Alabama Adult Protective Services (APS) Act of 1976 (Code of Alabama § 38-9-2 through 38-9-11) addressed



What is your liability?

All persons reporting suspected child abuse or neglect (whether required by law or not) are presumed to be acting in good faith. Alabama law provides immunity from liability for actions by mandatory reporters.

Citation: Ala. Code § 26-14-9

It is not necessary to prove that the abuse or neglect happened. You must have a reasonable suspicion.



Is your job protected?

"A public or private employer who discharges, suspends, disciplines, or penalizes an employee solely for reporting suspected child abuse or neglect ... shall be guilty of a Class C misdemeanor"

Citation: Ala. Code § 26-14-3(g)



Penalties for Failure to Report

"Any person who shall knowingly fail to make the report required by this chapter shall be guilty of a misdemeanor and shall be punished by a sentence of not more than 6 months' imprisonment or a fine not more than \$500.00."

Citation: Ala. Code § 26-14-13





How Common is Child Abuse & Neglect Nationally?*

- 4 million (estimate) reports of child abuse or neglect were made in 2015
- 683,000 children classified as being maltreated (estimate)
 - 75% neglected 17% physically abused
 8.3% sexually abused
- 1,670 children died in the United States in 2015 from abuse & neglect
- 1670 child fatalities 21% under the age of one year



The Alabama Story - 2015

• 30,647 reports made – up 17%

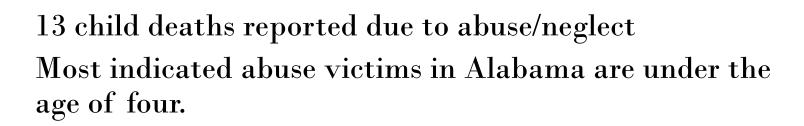
• 8,466 victims

• 39.5% Neglect

• 52% Physical Abuse

• .24% Psychological Abuse

• 17.4% Sexual Abuse



Core of Strengthening Families™: Building the 5 Protective Factors

- Parental resilience
- 2 Social connections
- 3. Knowledge of parenting and child development
- 4 Concrete support in times of need
- 5 Social and emotional competence of children





Community Action and Prevention

- Promote community awareness
- Educate parents
- Educate children
- Provide role models and dependable child care
- Work with community leaders
- Support special programs
- Support children's legal rights



What Child Maltreatment Means to Society

- Annual cost of child abuse and neglect is \$124 Billion nationally
- Annual cost to Alabama is over \$2.3 Billion
- A child who is abused or neglected is 59% more likely to be arrested as a juvenile than other children
- An estimated one-third of abused and neglected children will eventually victimize their own children



Long term effects of child abuse

- Learning disorders or speech deficits
- Dropping out of school
- Sexually transmitted diseases
- Teenage pregnancy
- Substance abuse
- Unemployment
- Crime and violence
- Brain damage
- Suicide
- Depression, anxiety or low self-esteem





TODAY
is the
CHILDHOOD
OUR*KIDS
**REMEMBER*



Contact Information

Department of Child Abuse and Neglect Prevention www.ctf.Alabama.gov 334-262-2951

Executive Director
Sallye R. Longshore
sallye.longshore@ctf.alabama.gov

Deputy Director
Tracy Plummer
tracy.plummer@ctf.alabama.gov

Prevent Child Abuse America www.preventchildabuse.org



National Alliance of Children's Trust & Prevention Funds www.ctf.alliance.org